

FILED
AUG 15 2012
U. S. DISTRICT COURT
E. DIST. OF MO.
ST. LOUIS

No.

4 : 12CR00303ERW

(Mail Fraud)

3. It was part of the scheme that the defendant, through television, direct mail and unsolicited phone calls, advertised to potential clients a paid loan audit accompanied by a free

loan modification. Defendant represented that he and his company would review client's mortgage loans and determine whether said mortgages complied with the provisions of various federal housing and lending statutes and regulations. The defendant, through Home Safe, charged clients approximately \$3,000 for a loan audit, divided between a down payment and monthly installments.

4. It was part of the scheme to defraud that the defendant mailed contracts and accepted payments from clients while representing that the defendant had the ability to perform a loan audit and that a loan audit would be completed. However, the defendant never completed a loan audit for any client as represented. In fact, the defendant never purchased or obtained the necessary software to perform loan audits. It was therefore part of the scheme to defraud that the defendant was incapable of performing loan audits for any client as represented.

5. In all, the defendant collected over approximately \$400,000 from clients in execution of his fraud scheme.

6. On or about March 2, 2010, in the Eastern District of Missouri, for the purpose of executing or attempting to execute the foregoing scheme and artifice to defraud and to obtain money by materially false and fraudulent promises, pretenses, and representations,

DEREK DOHERTY,

the defendant herein, did knowingly and willfully place or caused to be placed in an authorized depository for mail, to be sent and delivered by the United States Postal Service, an envelope containing a contract for the service of a loan audit to 13475 Lakefront Drive, Earth City, Missouri.

In violation of Title 18, United States Code Section 1341.

A TRUE BILL.

FOREPERSON

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